

REMARKS

In response to the Office Action dated August 18, 2003, Assignee respectfully requests reconsideration based on the above claim reinstatements, claim amendments, and the following remarks. Assignee respectfully submits that the claims as presented are in condition for allowance.

The United States Patent and Trademark Office (the "Office") rejected claims 16, 33, 35, and 38 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent 5,742,233 to Hoffman *et al.* Claims 16, 33, 35, and 38 were also rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent Application 2003/0149526 to Zhou *et al.* The Assignee shows, however, that reinstated, independent claims 1 and 18 are not anticipated, nor obvious, in view of the cited prior art, and the Assignee respectively submits that the pending claims are ready for allowance.

Reinstated Claims 1-15 & 17-32

The Assignee has reinstated claims 1-15 and 17-32. Independent claims 1 and 18 have also been amended to recite the extrapolation of a current position from historical position(s). As claims 1 and 18 recite, this invention "plot[s] movement along a course and ... extrapolate[s] current location information in the absence of a current location data point." Support for these claim amendments can be found at page 9, lines 12-15.

Rejection of Claims Under Hoffman

U.S. Patent 5,742,233 to Hoffman *et al.* does not anticipate the pending claims. Hoffman does not teach extrapolation of a current position from historical position(s). The Assignee thus respectively submits that the pending claims are patentable over Hoffman.

Rejection of Claims Under Zhou

U.S. Patent Application 2003/0149526 to Zhou does not anticipate the pending claims. *Zhou* does not teach extrapolation of a current position from historical position(s). The Assignee thus respectfully submits that the pending claims are patentable over *Zhou*.

Patentability of Pending Claims Over *Tennison*

The pending claims are patentable over U.S. Patent 6,496,777 to *Tennison et al.* *Tennison* was previously cited in a past office action, and the reinstated claims are patentable over *Tennison*. The patent to *Tennison* does not teach “plot[ting] movement along a course and ... extrapolat[ing] current location information in the absence of a current location data point.” The Assignee thus respectfully submits that the pending claims are patentable over *Hoffman*.

Patentability of Pending Claims Over *Brown*

The pending claims are patentable over U.S. Patent 6,392,565 to *Brown*. *Brown* was previously cited in a past office action, and the reinstated claims are patentable over *Brown*. The patent to *Brown* does not teach “plot[ting] movement along a course and ... extrapolat[ing] current location information in the absence of a current location data point.” The Assignee thus respectfully submits that the pending claims are patentable over *Brown*.

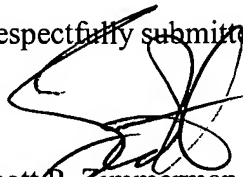
Patentability of Pending Claims Over *Elliot*

The pending claims are patentable over U.S. Patent 6,243,039 to *Elliot*. *Elliot* was previously cited in a past office action, and the reinstated claims are patentable over *Elliot*. The patent to *Elliot* does not teach “plot[ting] movement along a course and ... extrapolat[ing] current location information in the absence of a current location data point.” The Assignee thus respectfully submits that the pending claims are patentable over *Elliot*.

U.S. Application No. 10/027,215 Examiner Issing, Art Unit 3662
Response to Third Office Action

If any issues remain outstanding, the Office is invited to contact the undersigned at (919) 387-6907 or scott@scottzimmerman.com.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Scott P. Zimmerman', written over the typed name.

Scott P. Zimmerman
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